

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED  
AUG 04 2005  
JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

PATRICIA D. DAY,

Plaintiff,

v.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant.

Civil Action No. 5:04CV00092

**FINAL ORDER**

By: Samuel G. Wilson  
United States District Judge

This case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable B. Waugh Crigler, United States Magistrate Judge. The Magistrate Judge has filed a report recommending that an order be entered affirming the Commissioner's final decision and granting judgment to the defendant. Objections to the report and recommendation have not been filed, and the court, upon review of the record, is of the opinion that the report should be adopted. It is accordingly, **ORDERED** and **ADJUDGED** that the final decision of the Commissioner be **AFFIRMED**, judgment is granted to the defendant, and this case is **ORDERED** stricken from the docket of the court.

ENTER: This August 4<sup>th</sup>, 2005.

*[Signature]*  
UNITED STATES DISTRICT JUDGE